

LABOUR DEPARTMENT

The 10th December, 1981

No. 9(I)-81/6 Lab./12459.-- In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following Arbitration award of Shri J.D. Mehta, Deputy Labour Commissioner, Haryana (retired), Sole Arbitrator in respect of the dispute between Shri Sat Narain, son of Shri Rattan Lal, workman and the management of, M/s Hindustan Everest Tools Ltd., Jatheri, Sonapat.

BEFORE SHRI J.D. MEHTA, DY. LABOUR COMMISSIONER, HARYANA (RETIRED),
RESIDENT OF D/E-137, TAGORE GARDEN, NEW DELHI, (SOLE) ARBITRATOR

In the matter of Industrial Disputes between Shri Sat Narain, son of Shri Rattan Lal, and M/s Hindustan Everest Tools Ltd., Jatheri, Sonapat.

Present—

1. None for the workmen.
2. Shri U.C. Pant, for the management.

AWARD

By order No. IDR/T.K/67/81/26819, dated 27th May, 1981, the Governor of Haryana referred the following dispute between Shri Sat Narain, son of Rattan Lal and the management of M/s Hindustan Everest Tools Ltd., Jatheri, Sonapat, to me for arbitration in exercise of the powers conferred under sub-section (3) of section 10-A of the Industrial Dispute Act, 1947:—

“Whether the action taken by the management was justified and if not, to what relief the workman is entitled to?”

On the receipt of the order, the notices were issued to both the parties. The workman did not turnup. The notices for appearance were sent to other eight workers for the same date who appeared along with Shri Chander Singh, authorised representative of the workman.

The management's representative deposed that the dispute has been settled mutually and the settlement shall be produced in the next date. The other co-workers did not dispute the statement of the management's representative, including the representative Shri Chander Singh. However, the case was adjourned for the 30th July, 1981 with clear instructions to attend and challenge the authenticity of the statement, if so desired.

On the next date, the management filed a copy of the settlement under section 18(1) of the Industrial Disputes Act, 1947, copies of which have been endorsed to various authorities of the Labour Department. The workman failed to attend on this date. Thus the bona fides of the settlement remained unchallenged.

According to the terms of settlement, Shri Sat Narain accepted the amount of Rs. 1,009.64 Ps. in full and final settlement of his claims including the right of reinstatement or re-employment.

In view of the above observations made, I do not find any reason to disbelieve the testimony of the management and the terms of the settlement dated 7th July, 1981, filed by the management.

Thus, I hold that the dispute has been settled mutually and there is no dispute left pending arbitration.

J.D. MEHTA,

Sole Arbitrator.

Forwarded (4 copies) to the Secretary, Haryana Government, Labour and Employment Department, as required under section 17 of the Industrial Disputes Act, 1947.

J. D. MEHTA,

Sole Arbitrator.